

**Minutes
City Council/Redevelopment Agency/Public Financing Authority
City of Huntington Beach**

**Monday, October 3, 2011
4:00 PM - Room B-8
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California
92648**

**An audio recording of the 4:00 PM portion of this meeting
and a video recording of the 6:00 PM portion of this meeting
are on file in the Office of the City Clerk and are archived at
www.surfcity-hb.org/government/agendas/**

4:00 PM - ROOM B-8

CALL TO ORDER – 4:05 PM

ROLL CALL – Councilmember Shaw requested and was granted permission to be absent but will be arriving at a later point in the meeting.

PRESENT: Shaw (Arrived at 4:45 PM), Harper, Hansen, Carchio, Bohr, Dwyer, Boardman
ABSENT: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (RECEIVED AFTER AGENDA DISTRIBUTION)

Pursuant to the Brown "Opening Meetings" Act, City Clerk Joan Flynn announced the following supplemental communications received after distribution of the Council agenda packet:

PowerPoint Communication received from Travis Hopkins, Director of Public Works, entitled *San Diego Freeway (Interstate 405) Improvement Project*.

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit) - None

STUDY SESSION

1. The Orange County Transportation Authority (OCTA) provided an update on the San Diego Freeway (I-405) Improvement Project. This project is proposing to widen the I-405 freeway between State Route 73 (SR-73) and Interstate 605 (I-605) with the purpose of improving travel conditions, increasing capacity, improving interchange operations, and enhancing road safety.

Public Works Director Hopkins introduced OCTA Project Manager Niles Barrett and OCTA Outreach Manager Christina Byrne who provided a PowerPoint presentation entitled *San Diego Freeway (Interstate 405) Improvement Project*. Mr. Barrett noted they are getting close to completing the Environmental Impact Report and provided a status update including the study area, project need, objectives of the project, money allocated for the project, current conditions,

project alternatives and their respective costs, timeline, project review, impact mitigation measures, on-going public outreach activities and next steps.

Ensuing discussion pertained to anticipated start and location of construction, estimated completion dates, avoiding tolls and barriers and the addition of general purpose lanes.

Mayor Pro Tem Hansen commended the OCTA for the work on the project and agreed with building a maximum number of lanes. He addressed people's choices and expectations relative to the acceptance of toll expressways and noted the corridor is vital to the City.

Mr. Barrett noted the importance of financial creativity for a project such as this and stated the business model is to maximize through-put. He noted the project will be built according to the latest Caltrans design standards.

RECESS TO CLOSED SESSION

At 4:45 PM, by consensus, the City Council recessed into Closed Session.

CLOSED SESSION

2. Pursuant to Government Code § 54957.6, the City Council recessed to Closed Session to meet with its designated labor negotiators: Fred Wilson, City Manager; Paul Emery, Deputy City Manager; Bob Hall, Deputy City Manager; Michele Carr, Director of Human Resources; and Lori Ann Farrell, Director of Finance, regarding labor negotiations with all labor groups.

3. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuits [and potential lawsuits]: Donald Sipple, et al. v. City of Alameda, et al., Los Angeles Superior Court Case No. BC462270. Lawsuit to recover utility user tax ("UUT") on internet data paid by New Cingular Wireless PCS LLC.

4. Pursuant to Government Code Section 54956.8, the City Council recessed to Closed Session to give instructions concerning price and terms of payment to the City's Negotiator, Deputy City Administrator Bob Hall, regarding negotiations with the Huntington Beach City School District for the purchase or exchange of up to 10.12 acres of real property located at 20451 Cramer Lane in Huntington Beach and the purchase, sale or exchange of APN 114-150-94 in the City of Huntington Beach.

6:00 PM - COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY MEETING – 6:03 PM

Mayor Carchio welcomed visitors Bill and Robin Lindsey, representing Mayor Gene Hay from Manly, Australia.

CLOSED SESSION REPORT BY CITY ATTORNEY - None.

ROLL CALL

Present: Boardman, Carchio, Bohr, Dwyer, Hansen, Harper, and Shaw
Absent: None

PLEDGE OF ALLEGIANCE - Led by Mayor Pro Tem Don Hansen

INVOCATION - Given by Maria Khani of the Huntington Beach Interfaith Council

AWARDS AND PRESENTATIONS

Mayor Joe Carchio presented a proclamation to Fire Chief Patrick McIntosh to commemorate Fire Prevention Week October 9 to 15, 2011.

Mayor Joe Carchio presented commendations to the 2011 Little League World Champions - Ocean View Little League Team, the Coaches, and Team Mom.

JD Shafer, General Manager, Hilton Waterfront Resort, presented to the Ocean View Little League Team, certificates for a two-night stay at any Hilton-brand hotel.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (RECEIVED AFTER AGENDA DISTRIBUTION)

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced supplemental communications that were received following distribution of the City Council agenda packet:

Consent Calendar

- #3. Communication from Bob Hall, Deputy City Manager, submitting a change to Resolution No. 2011-70 regarding establishing a Sister City relationship with Manly, Australia.
- #6. Communication from Michele Carr, Director of Human Resources, submitting the executed Memorandum of Understanding for the Marine Safety Management Association with the revised Legislative Draft
- #7. Various communications received regarding a contract for the preparation of an Environmental Impact Report (EIR) for the proposed Single-Use Carryout Bag Reduction Ordinance: Betsy Brown, Jane Burke, Mark W. Dixon, Pat Goodman, Maureen McLaughlin, Ron & Jean Nagy, Shirley W. Orlando, Linda Reynolds, Linda Peach Warner, Fredrick Koepp, Sandy Schneller, Jeanne Whitesell, Laura Holdenwhite, Michael D. Sloan, Dan Garwick, Geof Garth, Claudine Humphrey, Joan McLoughlin, Casey Metkovich, Vicki Miller, Julie Thompson-Dobkin, Gilbert Michalek, Pamela Jane Andriese, Victoria Alberty, Margo Belle, Ariana Bovolini, Shainna Marie Breslow, Ron & Karen Broberg, David Bryan, Colleen (no last name), Dr. Glen O. Cutshall, Keepum DeLoach, Russ & Susanne Davis, David Dvorak, Steven W. Eppstein, Ed Gala, Ann Garth, Brian L. Gottejman, Neil Harison, Christine Hol, Mark A. Hunter, Scott MacCallum, Brennan Parks Miers, Nicole Miraula, Kent Morris, David Morzella, Marilee Movius, Patrick Nickols, Tony Rapae MD, Gene Rascon, Joanne Rasmussen, Imran Razi, Donald Slaven, Dr. Kevin D. Tubbs, Melissa Whitney, Bryce Willard, Martin Worster, William A. Yoak, Kathy Anderson, Casey Annis, Phillip M. Arroyo, Andy Baggett, Judy Barnes, Elysse Bass, Cindy

Bongiovanni, Kelli Boyer, Shari Busek, Nita Charlton, Keepum DeLoach, Steve Farnsworth, Kenneth Fish, Manuel Florence, Shane T. Garcia, Martin Guelich, Frank O. Holloway, Brynn Keaty, Julie Kollar, Chris Ann Lunghino, Craig Maloney, Dana McDaniel, Seth Matson, Kevin Raineri, Andy Simons, Ed Taylor, Max E. Wood, Michael S. Wright, Martin/Angela Worster, Brooke Barbee, Isabella Ford, Curt Killion, Dan (no last name), Veronnica Krizek, Julio R. Montjoy, Tom Stanton, Jr., Mike Dowell, Stephanie S. Eggert, J. Ford, The Marks Family, The Shelton Family, and Tony Soriano.

Communication dated October 3, 2011 submitted by James R Parrinello, Nielsen, Merksamer, Parrinello, Gross and Leioni, LLP, Attorneys at Law regarding: Lawsuit Challenging Plastic Bag Ban/Paper Bag Tax Ordinance.

Administrative Items

- #13. PowerPoint communication received from Laurie Frymire, Community Relations Officer, dated October 3, 2011, entitled Recommendations from the Intergovernmental Relations Committee.

Communication received from Tim Geddes, dated September 28, 2011, regarding recommendations for the Mobile Home Advisory Board.

Communication received from Betsy Crimi, dated September 29, 2011, regarding recommendations for the Mobile Home Advisory Board.

Communication received from Mary Jo Baretich, dated October 1, 2011, regarding recommendations for the Mobile Home Advisory Board.

Ordinance for Introduction

- #14. PowerPoint communication submitted by Alisa Cutchen, City Treasurer and Lori Ann Farrell, Director of Finance entitled Proposed Separation of Finance and Investment Advisory Boards.

PUBLIC COMMENTS (3 Minute Time Limit)

(The number (hh:mm:ss) following the speaker's comments indicates the approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas/>).

Stephanie Deagle provided financial results of the American Cancer Society's Relay-For-Life event held in Huntington Beach. (00:38:38)

Pat Taylor spoke in support of the Mobile Home Advisory Board. (00:42:54)

Beverly Braden spoke to Council in opposition to Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (00:44:03)

Sharon Dana spoke in support of the Mobile Home Advisory Board. (00:46:52)

Betsy Crimi spoke in support of the Mobile Home Advisory Board. (00:49:55)

Jenelle Godges, Southern California Edison, thanked Council for the City's participation in a Distribution Substation Planning (DSP), and presented a proclamation to the City for partnering with SCE. (00:52:23)

Richard Moore spoke in opposition to Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (00:55:01)

Gerald Chapman spoke in support of Ordinance for Introduction Item No. 14. (00:58:15)

Steve Gullage spoke in support of the Mobile Home Advisory Board. (01:00:55)

John Briscoe, City School Board Trustee, spoke to Council regarding the maximum occupancy level of the Talbert Middle School locker rooms. He expressed concerns regarding the overcrowding occurring due to the number of students using the locker rooms for each period of the school schedule. He urged parents to contact the School Board and register their concerns. (01:03:16)

Mary Jo Baretich, Cabrillo Mobilehome Park, spoke in support of the Mobile Home Advisory Board. (01:06:41)

Robert H. Foutz Jr. spoke in opposition of the Single-Use Bag Ordinance. (01:09:57)

Lorrie Hafen spoke in opposition to the Single-Use Bag Ordinance. (01:11:13)

Julie Paule, Western Manufactured Housing Communities Association (WMA), spoke in support of the Mobile Home Advisory Board. (01:14:20)

Helena Foutz spoke in opposition to Agenda Item No. 7 - Single-Use Bag Ordinance. (01:17:33)

Dan Kalmick spoke in support of IRC's Option C - Mobile Home Advisory Board. (01:18:50)

David Keough spoke in opposition to Agenda Item No. 7 - Single-Use Bag Ordinance. (01:21:57)

Kenneth A. Jackson spoke in opposition to Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (01:25:20)

Ray Hiemstra spoke in support of Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (01:26:19)

Bill Hickman, Surfrider Foundation, spoke in support of Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (01:27:45)

Greg Goran, Huntington Beach High School Educator and member of the Surfrider Foundation, spoke in support of Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (01:29:46)

Steven Ruyf, Huntington Beach High School Student, spoke in support of Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (01:31:24)

Jeff Coffman and Casey Metkovich with the Surfrider Foundation spoke in support of Agenda Item No. 7 - Single-Use Plastic Bag Ordinance, provided a brief video, and presented Council with a check in the amount of \$3,000 to subsidize costs for an environmental impact report. (01:32:47)

Ann Garth, Pegasus School, spoke in support of Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (01:40:36)

Alisa Bhakta, Pegasus School, spoke in support of Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (01:41:52)

Pamela Conti, Environmental Educator at Pegasus School, spoke in support of Agenda Item No. 7 - Single-Use Plastic Bag Ordinance. (01:42:40)

There being no other speakers, the Public Comments portion of the meeting was closed.

COUNCIL COMMITTEE - APPOINTMENTS - LIAISON REPORTS AND ALL AB 1234 DISCLOSURE REPORTING

Mayor Pro Tem Hansen reported attending the California League of Cities Annual Conference in San Francisco, California, as a representative of Huntington Beach.

Mayor Carchio reported attending the California League of Cities Annual Conference in San Francisco, California as well as the National Association of Telecommunications Officers and Advisors (NATOA) Annual Conference. He noted the City and the PCTA won first prize for the Fourth of July Parade.

Councilmember Dwyer reported he and Mayor Carchio met with the Army Advisory Council and plans are being made for a day-at-the-beach for new recruits.

Councilmember Bohr reported attending the NATOA Annual Conference. He submitted a written report that will be made available in the City Clerk's Office.

CITY MANAGER'S REPORT

City Manager Wilson reported the City has been recognized by the Edison Company as a Gold Partner which has to do with the City's ability to save energy. He commended staff for a job well done.

CONSENT CALENDAR

Consent Item No. 3 was pulled by Councilmember Boardman for separate consideration.

Consent Item No. 7 was pulled by Councilmember Harper for separate consideration.

1. Approved and adopted minutes.

A motion was made by Hansen, second Boardman to approve and adopt the minutes of the City Council/Redevelopment Agency/Public Financing Authority Regular Meeting of September 19,

2011, as written and on file in the Office of the City Clerk. The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

2. Received and filed the City Treasurer's August 2011 Investment Summary Report.

A motion was made by Hansen, second Boardman to receive and file the Monthly Investment Report for August 2011, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach. The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

3. Adopted Resolution No. 2011-70 extending an invitation to Manly Council, New South Wales, Australia, to establish a Sister City Relationship.

Consent Item No. 3 was pulled by Councilmember Boardman for separate consideration.

Councilmember Boardman reported she is the liaison to the Sister City Committee, has met with the Committee, referenced a letter from Mayor Carchio noting the Committee would not be expected to engage in cultural or student exchanges with Manly, but would instead be an informal Sister-City arrangement and requested amending the language of the Resolution as indicated below.

A motion was made by Boardman, second Hansen to adopt Resolution No. 2011-70, "A Resolution of the City Council of the City of Huntington Beach Extending An Invitation to Manly Council, New South Wales, Australia To Become A Sister City and Inviting the People of Manly Council, New South Wales, Australia To Participate in Said Program," amended to include the following language: The Sister City Association will not be asked to set up cultural exchanges or student exchanges with Manly, nor will staff time or city money be used to facilitate this program. The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

4. Adopted Resolution Nos. 2011-77, 2011-78, and 392 authorizing Holiday Closure for Non-Represented Employees in 2011, and cancellation of the City Council, Public Finance Authority and Redevelopment Agency Regular Meeting of January 3, 2012.

A motion was made by Hansen, second Boardman to adopt Resolution No. 2011-77, "A Resolution of the City Council of the City of Huntington Beach Establishing Holiday Closure for Non-Represented Employees," and non-essential City services to the public for the period December 27, 28, 29, and 30, 2011, in addition to the City recognized holidays of December 26, 2011 (Christmas) and January 2, 2012 (New Year's Day); and, adopt Resolution No. 2011-78, "A Resolution of the City Council of the City of Huntington Beach Declaring the Cancellation of

the Regular City Council Meeting and The Public Finance Authority Meeting of January 3, 2012; and Directing the City Clerk to Provide Notice of Such Cancellation;" and, adopt Resolution No. 392, "A Resolution of the Redevelopment Agency of the City of Huntington Beach Declaring the Cancellation of the Regular Redevelopment Agency Meeting of January 3, 2012; and Directing the Agency Clerk to Provide Notice of Such Cancellation." The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

5. Authorized holiday closure of City facilities for the period of December 27, 28, 29, and 30, 2011, by adopting Resolution No. 2011-79 amending the Memorandum of Understanding (MOU) Side Letter Agreement between the City and the Municipal Employees Association (MEA)

A motion was made by Hansen, second Boardman to adopt Resolution No. 2011-79, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Municipal Employees' Association (MEA), by Adopting the Side Letter of Agreement closing all non-essential City services to the public for the period December 27, 28, 29, and 30, 2011, in addition to the City recognized holidays of December 26, 2011 (Christmas) and January 2, 2012, (New Year's Day)." The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

6. Adopted Resolution No. 2011-80 approving a Memorandum of Understanding between the City and the Marine Safety Management Association (MSMA) (formerly Marine Safety Officers' Association, MSOA) for the period October 1, 2011 through September 30, 2013

A motion was made by Hansen, second Boardman to adopt Resolution No. 2011-80, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the City and the Huntington Beach Marine Safety Management Association (MSMA) (Formerly Marine Safety Officers' Association - MSOA), For October 1, 2011 Through September 30, 2013," **as amended by supplemental communication to revise language on legislative draft.** The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

7. Approved and authorized Professional Services Agreement with Rincon Consultants, Inc. to prepare an Environmental Impact Report for the proposed Single-Use Carryout Bag Reduction Ordinance

Consent Item No. 7 was pulled by Councilmember Harper for separate consideration.

Councilmember Harper offered his opinion on why the item should not be approved. He expressed concerns over issues of personal freedom and government expansion that such an ordinance raises. He also expressed concerns over the costs related to the EIR and noted the significance of imminent litigation in regards to what is happening in the City of Long Beach and the County of Los Angeles.

A motion was made by Shaw, second Boardman to authorize the City Manager to enter into a "Professional Services Agreement with Rincon Consultants, Inc. to prepare an Environmental Impact Report for the proposed Single-Use Carryout Bag Reduction Ordinance in the amount of \$29,948."

Mayor Pro Tem Hansen discussed his thoughts on why the item should not be approved noting that by passing such an Ordinance, the City will be subjected to litigation. He stressed the importance of economic stewardship.

Councilmember Boardman discussed her thoughts on why the item should be approved. She stated that the bags are a problem with beach and water pollution and listed various cities considering the ban. She noted the possible litigation does not deal with the ban of plastic bags, but rather the fee associated with the use of paper bags. She expressed appreciation to the Surfrider Foundation for their contribution. She referenced the successful implementation on the ban in the State of Hawaii. She expressed concern with asking other cities to accept the ban, while the City of Huntington Beach opposes it.

Councilmember Bohr discussed his thoughts on how the EIR should examine all options including not charging a fee for paper bags.

Councilmember Dwyer discussed his thoughts on why the item should be approved, but also voiced concerns about costs associated with the EIR. He suggested participation in the costs by outside organizations and noted the benefits of a public/private partnership.

Councilmember Shaw discussed his thoughts on why the item should be approved. He noted the costs of plastic bag clean up to cities. He opined there are many costs that can be saved by banning plastic bags.

Councilmember Boardman reminded the Council that the Council has already directed the City to draft an Ordinance. She noted that because plastic bag manufacturers have sued cities, the City is forced to prepare an EIR for protection against a lawsuit. She reported there are City funds to pay for the EIR and expressed her appreciation to the Surfrider Foundation.

Councilmember Harper voiced concerns about spending funds on an EIR without proof that the results will be favorable. He opined the Ordinance would not solve the litter problem.

Councilmember Dwyer reminded the public that plastic bags will be allowed for specific uses such as produce, etc. He opined this would be a first step in encouraging inland cities to come on board.

Mayor Pro Tem Hansen responded to funds received by the School District to fund an EIR for a skate park in Huntington Beach. He stated the Council did not pass an ordinance but rather directed Staff to evaluate drafting an ordinance. He made a distinction between plastic bags and litter. He suggested raising the fines for littering with plastics and suggested assigning a

"litter police". He opined the City should be a leader in stamping out litter, not stamping out choice.

Councilmember Bohr responded to Mayor Pro Tem Hansen's comments stating there is no way that enough people could be hired to police litter. He opined it would not address the issue in a serious and effective manner. He re-stated Councilmember Dwyer's suggestions and felt it was a reasonable approach.

Mayor Pro Tem Hansen reiterated there is no proof that the ban would work in reducing litter and felt the issue of fronting fees would be sending an undesirable precedence.

Councilmember Shaw stated developers front fees all the time.

Councilmember Boardman pointed out the Council moved forward the idea and commended the Surfrider Foundation for their commitment to fund the EIR.

Councilmember Bohr briefly addressed developer incentives.

Mayor Carchio expressed concern with spending the money on something that has no assurance of success. He stated littering laws will work.

A motion was made by Dwyer, second Boardman to Substitute Motion: Authorize the City Manager to enter into a Professional Service Agreement with Rincon Consultants, Inc. to prepare an Environmental Impact Report for the proposed Single-Use Carryout Bag Reduction Ordinance but not bring back to Council until \$29,948 is covered by outside organizations. The motion carried by the following roll call vote:

AYES:	Shaw, Bohr, Dwyer, and Boardman
NOES:	Harper, Hansen, and Carchio

8. Increased Beach Maintenance, Marine Safety, and Public Works FY 11-12 appropriations for delivery of Sunset Beach services per the Pre-Annexation Agreement by and between the City of Huntington Beach and the County of Orange.

A motion was made by Hansen, second Boardman to approve the appropriation of Beach Maintenance and Marine Safety funds in the FY 11/12 budget as follows: Beach Maintenance (10045206), \$69,000.00; Marine Safety (10045207), \$250,000.00; and, approve the appropriation of funding for Public Works services in the FY 11/12 budget as follows: Landscape Maintenance (10085602), \$111,000.00; Street Sweeping (10085415), \$6,000.00; Street Tree Maintenance (10085621), \$5,000.00; Building & Grounds Maintenance (10085402.64620), \$10,000.00; Storm Drain Maintenance (10085501), \$15,000.00; Street Light Operation & Maintenance (10040101), \$15,740.00; and, approve the appropriation of \$6,000.00 in the FY 11/12 Traffic Congestion Relief Fund budget for traffic signal operation and maintenance (21985201); and, approve the additional appropriation of \$21,740.00 in the Gas Tax Fund (207) account 20785999.88210.100 for transfer to General Fund; and, recognize an additional \$460,000 in General Fund Revenue, \$21,740 in Gas Tax Revenue and \$6,000 in Traffic Congestion Relief Revenue. The motion carried by the following roll call vote:

AYES:	Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES:	None

OUT OF ROOM: Shaw

9. Approved and designated City official of the Recognized Obligation Payment Schedule (ROPS) for the Redevelopment Agency as required by the State.

A motion was made by Hansen, second Boardman to approve the Recognized Obligation Payment Schedule; and, designate the Director of Finance as the City's authorized official regarding the Recognized Obligated Payment Schedule. The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

10. Escheated \$12,612.05 of Unclaimed Funds greater than \$15.00 to the General Fund per Government Code 50050.

A motion was made by Hansen, second Boardman to review and approve the transfer of \$12,612.05 of unclaimed funds from the City's Unclaimed Funds Liability Account to the City's Miscellaneous Revenue Account #10000100.48550.10025201 in compliance with Government Code Section 50050. The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

11. Adopted Ordinance 3921 amending Chapter 10.12 of the Huntington Beach Municipal Code relating to speed limits, adding Brightwater Drive Approved for introduction September 19, 2011.

A motion was made by Hansen, second Boardman to adopt Ordinance 3921, "An Ordinance of the City of Huntington Beach Amending Chapter 10.12 of the Municipal Code Relating to Speed Limits." The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

12. Adopted Ordinance No. 3922 amending Chapter 10.44 of the Huntington Beach Municipal Code by prohibiting taxicabs from standing or parking in twenty-four (24) minute green zones Approved for introduction September 19, 2011.

A motion was made by Hansen, second Boardman to adopt Ordinance No. 3922, "An Ordinance of the City of Huntington Beach Amending Chapter 10.44 of the Huntington Beach Municipal Code Relating to Parking Time Limits." The motion carried by the following roll call vote:

AYES: Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES: None
OUT OF ROOM: Shaw

ADMINISTRATIVE ITEMS

13. Intergovernmental Relations Committee review and recommendations for the City's Boards and Commissions.

City Manager Wilson introduced the item and deferred to Staff for a report.

Staff provided a PowerPoint presentation entitled, "*Recommendations from the Intergovernmental Relations Committee*" with slides including Background, Recommendations Allied Arts Board, Recommendations Environmental Board, Recommendations Historic Resources Board, Recommendations Library Board and Recommendations Mobile Home Advisory Board. Various options were recommended for each.

A motion was made by Boardman, second Dwyer to approve the following: Allied Arts Board - Require that at least one member of the Board be a member of the Art Center Foundation and Keep the four-year terms with no term limits; Environmental Board - Keep the four-year terms with no term limits; Historic Resources Board - Reduce the number of board members from between seven and eleven, to between seven and nine and Keep the four-year terms with no term limits; Library Board - Keep the four-year terms with no term limits and Remove the \$15 per meeting stipend. The motion carried by the following roll call vote:

AYES:	Shaw, Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES:	None

A motion was made by Hansen, second Harper to approve Mobile Home Advisory Board - Option A. Transition the Board from a City-staffed board to an independent group.

Councilmember Boardman spoke in opposition to Option A for the Mobile Home Advisory Board and listed her reasons.

Councilmember Bohr stated his preferred choice as Option C and felt that by assigning a designee for park owners would be a helpful part of creating dialogue.

Councilmember Dwyer stated his preference for Option C and suggested a time limit of a year after which the issue could be re-considered.

Councilmember Shaw indicated his preference for Option C.

Councilmember Harper commented on previous public comments regarding the issue and listed cities that have and do not have a Mobile Home Advisory Board. He stated there are numerous independent organizations for advocacy and felt this organization is redundant as a City-sponsored organization and that this is not a role the City should be taking. He felt the group would benefit by being an independent organization.

Mayor Pro Tem Hansen questioned the value of having non-mobile home residents in the organization. He opined the Board alienated mobile home park owners and felt park owners should pick their own representatives and not be limited by residency.

Councilmember Dwyer agreed with letting park owners choose their designees. He restated his suggestion of re-consideration after one year.

City Attorney McGrath noted the existing Municipal Code does not have a residency requirement.

Councilmember Boardman clarified the option being considered in the motion.

Mayor Pro Tem Hansen reiterated that there needs to be a level playing field for positive dialogue.

Councilmember Harper noted there are plenty of avenues to communicate directly with the City Council regarding mobile home issues and felt there is no reason to create another committee.

A motion was made by Boardman, second Shaw to Substitute Motion: Mobile Home Advisory Board - Option C **as amended that park owners or designees go through the same appointment process as all other appointed members.**

Chair Carchio noted Option C is what has existed and has not worked. He felt it will continue to not work because mobile home park owners will continue to not attend/participate.

The motion carried by the following roll call vote:

AYES:	Shaw, Bohr, Dwyer, and Boardman
NOES:	Harper, Hansen, and Carchio

ORDINANCES FOR INTRODUCTION

14. Approved for Introduction Ordinance No. 3920 amending the Huntington Beach Municipal Code by separating the Finance and Investment Advisory Board into two separate Boards, as recommended by the City Council's Intergovernmental Relations Committee (IRC)

City Treasurer Alisa Cutchen provided a brief PowerPoint entitled Proposed Separation of Finance and Investment Advisory Boards, with titled slides February, 2011 - Finance and Investment Advisory Boards were combined, and October, 2011 - Recommended Finance and Investment Advisory Board be separated.

In response to inquiries from Councilmember Dwyer, Finance Director Farrell commented on the various stakeholder groups and noted the benefits of the Investment Advisory Board; but noted in its current format, the Finance Board is not as effective.

In response to inquiries from Councilmember Boardman, Finance Director Farrell reported on the schedule of meetings for the Boards.

Councilmember Boardman reported appointing someone to the Finance Board with a finance background. She listed the tasks of the Finance Board according to the Ordinance and as directed by Council. She suggested adding the language that, "Upon Council direction, the Finance Board examine the budget and make recommendations". She also suggested the Boards meet on a monthly basis as needed.

In response to Councilmember Harpers inquiry, City Attorney McGrath reported it is up to each Councilmember if he/she wants to appoint someone to a specific Board.

Councilmember Shaw asked for and was provided clarification by Councilmember Bohr regarding possible actions.

Councilmember Dwyer noted the item could be brought back to Council.

Mayor Pro Tem Hansen commented on the importance of good dialogue, addressed benefits of being on a Board and stated the challenge with the Finance Board is that they have lost their focus and direction and listed reasons for maintaining the Investment Advisory Board.

In response to an inquiry from Councilmember Harper regarding notice to the Finance Board, the City Attorney clarified the actions to be taken.

Mayor Pro Tem Hansen suggested tabling the item until the next meeting to allow for notice to Finance Board Members.

Councilmember Boardman agreed with moving ahead with the recommendation regarding the Investment Advisory Board but table the elimination of the Finance Board to allow Member notice and input.

A motion was made by Bohr, second Hansen table introduction of Ordinance 3919 and to direct the City Attorney to return with an Ordinance repealing Chapter 2.109 of the Huntington Beach Municipal Code; and, approve for introduction Ordinance No. 3920, "An Ordinance of the City of Huntington Beach adding Chapter 2.110 of the Huntington Beach Municipal Code Relating to the Investment Advisory Board." The motion carried by the following roll call vote:

AYES:	Shaw, Harper, Hansen, Carchio, Bohr, Dwyer, and Boardman
NOES:	None

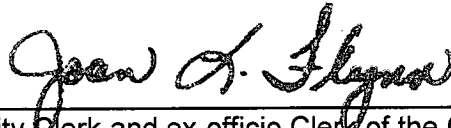
COUNCILMEMBER COMMENTS (Not Agendized)

Comments were provided by Councilmembers Boardman, Shaw, Harper, and Bohr, Mayor Pro Tem Hansen, and Mayor Carchio.

ADJOURNMENT

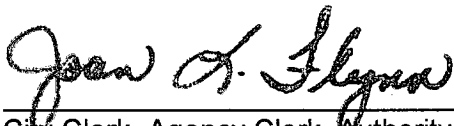
At 9:35 PM, Mayor Carchio adjourned the meeting to a Special Meeting on Monday, October 10, 2011, at 5:00 PM in the 4th Floor Administration Conference Room #2, Civic Center, 2000 Main Street, Huntington Beach, California, in memory of Huntington Beach Retired Fireman, John Waddle.

The next regularly scheduled meeting will be Monday, October 17, 2011, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.



City Clerk and ex-officio Clerk of the City
Council of the City of Huntington Beach, Clerk of the
Redevelopment Agency of the City of Huntington
Beach, California and Secretary of the Huntington
Beach Public Finance Authority

ATTEST:



City Clerk, Agency Clerk, Authority
Secretary



Mayor-Chair